

Form 6

12/03 USBC, Eastern District of Virginia

FILED

**United States Bankruptcy Court
Eastern District of Virginia**

2005 FEB 22 P 3:42

US BANKRUPTCY COURT
ALEXANDRIA DIVISION

In re Burden, Russell Ervin	Case Number: 05-10379 (If Known)
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SUMMARY OF SCHEDULES

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts from Schedules D, E, and F to determine the total amount of the debtor's liabilities.

				AMOUNTS SCHEDULED		
	NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A-	Real Property	yes	1	\$ 0.00		
B-	Personal Property	yes	3	\$ 3,393.00		
C-	Property Claimed as Exempt	yes	1			
D-	Creditors Holding Secured Claims	yes	1		\$0.00	
E-	Creditors Holding Unsecured Priority Claims	yes	1		\$30,119.00	
F-	Creditors Holding Unsecured Nonpriority Claims	yes	1		\$ 0.00	
G-	Executory Contracts and Unexpired Leases	yes	1			
H-	Codebtors	yes	1			
I-	Current Income of Individual Debtor(s)	yes	1			\$ 500.00
J	Current Expenditures of Individual Debtor(s)	yes	1			\$ 673.00
Total Number of Sheets of ALL Schedules			12			
Total Assets				\$ 3,93.00		
Total Liabilities					\$ 30,119.00	

In re

Case Number:

Burden, Russell Ervin

Debtor.

05-10379

(If Known)

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10. **Other**—Indicate interests in executory contracts and unexpired leases on this schedule. List the
 11. **Particulars** of Contracts and Unexpired Leases.

If an individual or entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Secured."

If the filer is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property tax return for the year. (See Instructions to Form 706, "Estate Tax Return," for details.)

DESCRIPTION AND LOCATION OF PROPERTY	NATURE OF DEBTOR'S INTEREST IN PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION	AMOUNT OF SECURED CLAIM
NONE				
		Total	\$ 0	

(Report also on Summary of Schedules.)

Debtor: **Ervin, Russell Ervin**

Case Number:

Debtor:

05-10379-SSM

SCHEDULE B - PERSONAL PROPERTY

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "X" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife or both own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property."

PROPERTY CATEGORY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT, OR COMMUNITY	CURRENT MARKET VALUE
1. Cash on hand	<input type="checkbox"/>	Cash on hand		250.00
2. Checking, savings, or other financial accounts, certificates of deposit, or money orders, savings and loan, thrift, building and loan, and forward associations, or credit unions, brokerage houses, or cooperatives.	<input checked="" type="checkbox"/>			
3. Security deposits with public utilities, telephone companies, landlords, and others.	<input checked="" type="checkbox"/>	2 tv's, 2cd players Computer, printer, 3 monitors		400.00
4. Household goods and furnishings, including audio, video, and computer equipment.	<input type="checkbox"/>	Bed, bookcases, vcr, comp. desk 2 cell phones, furniture		
5. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	<input type="checkbox"/>	Books, cd's, pictures tapes, comic books Coin collection, baseball cards		800.00
6. Wearing apparel	<input type="checkbox"/>	suits, shoes, coats		
7. Jewelry	<input type="checkbox"/>	pants, shirts,		
8. Firearms and sports, photographic, musical, or hobby equipment.	<input type="checkbox"/>	2 gold rings, one camera		
9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or return value of each.	<input checked="" type="checkbox"/>			
10. Automobiles. Itemize and name each vehicle.	<input checked="" type="checkbox"/>			

Form 6B - Continued

12/03 USBC, Eastern District of Virginia

In re	Case Number:
Burden, Russell Ervin	05-10379 (If Known)

SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
11. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Itemize.	<input checked="" type="checkbox"/>			
12. Stock and interests in incorporated and unincorporated businesses. Itemize.	<input type="checkbox"/>	100% interest in two LLC's		50.00
13. Interests in partnerships or joint ventures. Itemize.	<input checked="" type="checkbox"/>			
14. Government and corporate bonds and other negotiable and non-negotiable instruments.	<input checked="" type="checkbox"/>			
15. Accounts receivable.	<input type="checkbox"/>			
16. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	<input checked="" type="checkbox"/>			
17. Other liquidated debts owing debtor including tax refunds. Give particulars.	<input checked="" type="checkbox"/>			
18. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule of Real Property. (Form 6A.)	<input checked="" type="checkbox"/>			
19. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	<input checked="" type="checkbox"/>			
20. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	<input checked="" type="checkbox"/>			
21. Patents, copyrights, and other intellectual property. Give particulars.	<input checked="" type="checkbox"/>			
22. Licenses, franchises, and other general intangibles. Give particulars.	<input checked="" type="checkbox"/>			

Form 6B - Continued

12/03 USBC, Eastern District of Virginia

In re Burden, Russell Ervin	Case Number: 05-10379 (If Known)
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SCHEDULE B - PERSONAL PROPERTY (Continuation Sheet)

	TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
23.	Automobiles, trucks, trailers, and other vehicles and accessories.	<input type="checkbox"/>	Mobile Home, 1976 Manassas, VA.		1,000
24.	Boats, motors, and accessories.	<input checked="" type="checkbox"/>			
25.	Aircraft and accessories.	<input checked="" type="checkbox"/>			
26.	Office equipment, furnishings, and supplies.	<input type="checkbox"/>	Copier, Phones, Desk Fax machine, accounting program		60.00
27.	Machinery, fixtures, equipment and supplies used in business.	<input checked="" type="checkbox"/>			
28.	Inventory.	<input checked="" type="checkbox"/>			
29.	Animals.	<input checked="" type="checkbox"/>			
30.	Crops - growing or harvested. Give particulars.	<input checked="" type="checkbox"/>			
31.	Farming equipment and implements.	<input checked="" type="checkbox"/>			
32.	Farm supplies, chemicals, and feed.	<input checked="" type="checkbox"/>			
33.	Other personal property of any kind not already listed. Itemize.	<input type="checkbox"/>	Beneficial intrest in trust		500.00
continuation sheets attached					\$ 3,393.00

(Include amounts from any continuation sheets attached. Report total also on Summary of Schedules)

Burden, Russell Ervin
Debtor

Case No. 05-10379
(If known)

SCHEDULE C - PROPERTY CLAIMED AS EXEMPT

Debtor elects the exemptions to which debtor is entitled under:

(Check one box)

- ☐ 11 U.S.C. § 522(b)(1): Exemptions provided in 11 U.S.C. § 522(d). These exemptions are available only in certain states.
- ☒ 11 U.S.C. § 522(b)(2): Exemptions available under applicable nonbankruptcy federal laws, state or local law where the debtor's domicile has been located for the 180 days immediately preceding the filing of the petition, or for a longer portion of the 180-day period than in any other place, and the debtor's interest as a tenant by the entirety or joint tenant to the extent the interest is protected in process under applicable nonbankruptcy law.

DEBTOR'S PROPERTY	SPECIFY LAW PROVIDING EACH EXEMPTION	VALUE OF CLAIMED EXEMPTION	
Cash on Hand		258.00	258.00
Household Goods		400.00	400.00
Books, CD's and tapes		800.00	800.00
Wearing Apparel		300.00	300.00
Jewelry		20.00	20.00
camera		5.00	5.00
Units in LLC's		50.00	50.00
Office Equipment		60.00	60.00
Trust interest		500.00	500.00

In re Burden, Russell Ervin
Debtor

Case No. 05-10379
(If known)

SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding claims secured by property of the debtor as of the date of filing of the petition. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests. List creditors in alphabetical order to the extent practicable. If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor." include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

☒ Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE	CODEBTOR	HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND MARKET VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Last four digits of ACCOUNT NO.								
			VALUE \$					
Last four digits of ACCOUNT NO.								
			VALUE \$					
Last four digits of ACCOUNT NO.								
			VALUE \$					
Last four digits of ACCOUNT NO.								
			VALUE \$					

continuation sheets attached

Subtotal (Total of this page) \$ 0
Total (Use only on last page) \$ 0
(Report total also on Summary of Schedules)

Form 106-
(01-01)

In re Burden, Russell Ervin
Debtor

Case No. 05-10379
(if known)

SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether husband, wife, both of them or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotal" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Repeat this total also on the Summary of Schedules.

☒ Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

TYPES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)

☐ Extensions of credit in an involuntary case

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(2).

☐ Wages, salaries, and commissions

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$4,925* per person earned within 90 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(3).

☐ Contributions to employee benefit plans

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

☐ Certain farmers and fishermen

Claims of certain farmers and fishermen, up to \$4,925* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(5).

☐ Deposits by individuals

Claims of individuals up to \$2,225* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(6).

In re Burden, Russell
DebtorCase No. 05-10379
(If known)**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE	CODEBTOR	HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND MARKET VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL
Last four digits of ACCOUNT NO.							
Joel Hamaker Bethesda, MD	x		9/2002 Money loaned		x		\$20,000
Last four digits of ACCOUNT NO.							
Public Storage Woodbridge, VA			9/04 personal prop.				\$134.00
Last four digits of ACCOUNT NO.							
Mr./Mrs. Mitchell Maryland	x		3/03 Money loaned				\$9,000.00
Last four digits of ACCOUNT NO.							
Inova Health Alex, VA			5/02 Medical Services				\$949.00
Last four digits of ACCOUNT NO.							
ITC Store, Inc.			9/04 Internet serv.				\$36.00
Subtotal							\$ 30,119.00
(Total of this page)							
Total							\$ 30,119.00

Sheet no. ___ of ___ sheets attached to Schedule of
Creditors Holding Unsecured Nonpriority Claims(Use only on last page of the completed Schedule E.)
(Report total also on Summary of Schedules)

Form 6G

12/03 USBC, Eastern District of Virginia

In re Burden, Russell Ervin	Debtor.	Case Number: 05-10379	(If Known)
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SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests.

State nature of debtor's interest in contract, i.e., "Purchase," "Agent," etc. State whether debtor is the lessor or lessee of a lease.

Provide the names and complete mailing addresses of all other parties to each lease or contract described.

NOTE: A party listed on this schedule will not receive notice of the filing of this case unless the party is also scheduled in the appropriate schedule of creditors.

☒ Check this box if debtor has no executory contracts or unexpired leases.

NAME AND MAILING ADDRESS, INCLUDING ZIP CODE, OF OTHER PARTIES TO LEASE OR CONTRACT	DESCRIPTION OF CONTRACT OR LEASE AND NATURE OF DEBTOR'S INTEREST, STATE WHETHER LEASE IS FOR NONRESIDENTIAL REAL PROPERTY. STATE CONTRACT NUMBER OF ANY GOVERNMENT CONTRACT

Ervin, Russell Ervin

Case No. 05-10379

SCHEDULE H - CODEBTORS

Requested concerning any person or entity, other than a spouse in a joint case. Creditors. Include all guarantors and co-signers. In community property states, include the name and address of the nondebtor spouse on this schedule. Include all names used by the nondebtor from the commencement of this case.

If the debtor has no codebtors,

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR
Burden Realty Tu, III LLC 107 S. West Street Alexandria, VA 22314	Anton and Rhoda Mitchell 1119 Oak Tree Drive Hayre De Grace, MD 21050
Burden Realty Tu, III LLC 107 S. West Street Alexandria, VA 22314	Dmitry Sheynman 722 Brickston Road Reisterstown, MD 21117
East Estate Solutions of Amer.LLC 107 S. West Street Alexandria, VA 22314	Joel Hamaker 6103 Kenhowe Street Bethesda, MD 20817

SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by a married debtor in a chapter 12 or 13 case whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.

DEPENDENTS OF DEBTOR AND SPOUSE	
NAMES	AGE
DEBTOR	SPOUSE
Real Estate Investor & Consultant	
Self Employed	
One year	
Alexandria, VA	

Income: (estimate of average monthly income)	DEBTOR	SPOUSE
Current monthly gross wages, salary, and commissions (pro rate if not paid monthly.)	\$ 500.00	\$
Estimated monthly overtime	\$	\$
SUBTOTAL	\$ 500.00	\$
LESS PAYROLL DEDUCTIONS		
a. Payroll taxes and social security	\$	\$
b. Insurance	\$	\$
c. Other	\$	\$
TOTAL PAYROLL DEDUCTIONS	\$ 0	
NET MONTHLY TAKE HOME PAY	\$ 500.00	
Income from operation of business or profession or farm (attach statement)	\$ 0	
Income from real property	\$ 0	
Dividends	\$ 0	
Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above.	\$ 0	
Social security or other government assistance (Specify)	\$	\$
Pension or retirement income	\$ 0	\$
Other monthly income (Specify)	\$	\$
TOTAL MONTHLY INCOME	\$ 500.00	\$
NET MONTHLY INCOME	\$ 500.00	(Report also on Spouse)

Is there any anticipated increase of more than 10% in any of the above categories anticipated to occur within the next 12 months?

In re Burden, Russell Ervin
Debtor

Case No. 05-10379
(if known)

SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

Complete this schedule by estimating the average monthly expenses of the debtor and the debtor's family. Pro rate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate.

☐ Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse."

Rent or home mortgage payment (include lot rented for mobile home)	\$ 300.00
Are real estate taxes included? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Is property insurance included? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Utilities Electricity and heating fuel	\$
Water and sewer	\$
Telephone	\$ 72.00
Other	\$
Home maintenance (repairs and upkeep)	\$
Food	\$ 70.00
Clothing	\$ 15.00
Laundry and dry cleaning	\$ 40.00
Medical and dental expenses	\$ 10.00
Transportation (not including car payments)	\$ 45.00
Recreation, clubs and entertainment, newspapers, magazines, etc.	\$ 30.00
Charitable contributions	\$ 5.00
Insurance (not deducted from wages or included in home mortgage payments)	
Homeowner's or renter's	\$
Life	\$
Health	\$
Auto	\$
Other	\$
Taxes (not deducted from wages or included in home mortgage payments) (Specify)	\$
Installment payments: (In chapter 12 and 13 cases, do not list payments not included in the plan)	
Auto	\$
Other	\$
Other	\$
Alimony, maintenance, and support paid to others	\$ 61.00
Payments for support of additional dependents not living at your home	\$
Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$
Other <u>Mailing, Copying, faxing, phone</u>	\$ 25.00
TOTAL MONTHLY EXPENSES (Report also on Summary of Schedules)	\$ 673.00

(FOR CHAPTER 12 AND 13 DEBTORS ONLY)

Provide the information requested below, including whether plan payments are to be made bi-weekly, monthly, annually, or at some other regular interval.

A. Total projected monthly income	\$ 500.00
B. Total projected monthly expenses	\$ 673.00
C. Excess income (A minus B)	\$
D. Total amount to be paid into plan each <u>interval</u>	\$